

# **Exhibit 5**

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16 UNITED STATES DISTRICT COURT  
17 SOUTHERN DISTRICT OF CALIFORNIA  
18 SAN DIEGO DIVISION

19 WHITEWATER DRAW NATURAL  
20 RESOURCE CONSERVATION  
21 DISTRICT, *et al.*,

22 Plaintiffs,

23 v.

24 KIRSTJEN M. NIELSEN, *et al.*,  
25 Federal Defendants.

**Case No. 3:16-cv-2583**

**CERTIFICATION OF  
ADMINISTRATIVE RECORD**

Hon. H. James Lorenz

CERTIFICATION OF ADMINISTRATIVE RECORD

I, Jennifer D. Hass, am the DHS Program Manager for Environmental Planning and Historic Preservation within the Office of Sustainability and Environmental Programs, Office of the Chief Readiness Support Officer, Management Division, Department of Homeland Security (DHS). I have compiled the Administrative Record for the 2014 Revisions to DHS National Environmental Policy Act (NEPA) Procedures.

I certify that, to the best of my knowledge, information and belief, the documents listed in the attached index to the Administrative Record for the 2014 Revisions to DHS NEPA Procedures are contained in the Administrative Record and constitute the record documents that DHS relied upon in adopting the revised NEPA policy and procedures at that time.

Respectfully submitted,



DATED: March 12, 2019

Jennifer D. Hass  
Program Manager, Environmental Planning and Historic Preservation  
Office of Sustainability and Environmental Programs  
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U.S. Department of Homeland Security

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10. Public comments received during the 60-day comment period.....DIR00270

***Final Revisions***

11. DHS, Notice of Final National Environmental Policy Act Implementing Procedures, 79 Fed. Reg. 70,538 (Nov. 26, 2014).....DIR00288
12. Letter from Horst G. Greczmiel, Associate Director for NEPA Oversight at the Council on Environmental Quality, to Dr. Teresa R. Pohlman, Director of Sustainability and Environmental Programs at DHS, RE: DHS Directive and Instruction Manual on Implementation of the National Environmental Policy Act (Nov. 10, 2014).....DIR00291
- a. Attachment 1: Final DHS Directive No. 023-01, Rev. 01, Implementation of the National Environmental Policy Act (Oct. 31, 2014).....DIR00293
- b. Attachment 2: Final DHS Instruction No. 023-01-001-01, Rev. 01, Implementation of the National Environmental Policy Act .....DIR00298
13. DHS, Synopsis of Administrative Record to Support Proposed New Categorical Exclusions under the National Environmental Policy Act (Dec. 2014) .....DIR00389